REMARKS

Claims 1-19 are all the claims presently pending in the application. Claims 1-15 have been amended to more particularly define the invention. Claims 16-19 have been added to claim additional features of the invention.

It is noted that the claim amendments are made only for more particularly pointing out the invention, and not for distinguishing the invention over the prior art, narrowing the claims or for any statutory requirements of patentability. Further, Applicants specifically state that no amendment to any claim herein should be construed as a disclaimer of any interest in or right to an equivalent of any element or feature of the amended claim.

Applicants gratefully acknowledges the Examiner's indication that claims 2-5 and 8-15 are allowed, and that claims 6 and 7 would be allowable if rewritten in independent form. However, Applicants respectfully submit that all of claims 1-19 are allowable.

Claim 1 stands rejected under 35 U.S.C. §102(b) as being anticipated by Barton (U.S. Patent No. 5,655,413).

This rejection is respectfully traversed in the following discussion.

I. THE CLAIMED INVENTION

The claimed invention (e.g., as defined by exemplary claim 1) is directed to a position adjustment device for a steering handle. The position adjustment device includes a fixed bracket, a movable bracket, a bolt shaft section for coupling the fixed bracket and movable bracket, a collar member that is installed between respective supporting side sections of the movable bracket that are mutually opposing in a lateral direction thereof, the collar member being formed into a folded shape from a lower supporting plate section and an upper supporting plate section that are mutually opposing in a parallel fashion and combined together with a coupling plate. The collar member includes an end plate formed integrally

with the upper supporting plate section on a side opposite to that of the coupling plate, and a fitting section formed at a lower end of the end plate, and a stopper buffering material, the stopper buffering material being fixed to the end plate of the collar member.

Conventional adjustment devices for steering handles include a stopper material installed at a position of abutment with a lock lever shaft to dampen impact. However, it has been difficult to install the stopper material in a controlled manner by suitable pressure fitting on a plate shaped installation section of a collar. Alternatively, when the pressure fitting load is small, then even though the installation characteristics may be improved, the material becomes more liable to detachment.

The claimed invention of exemplary claim 1, on the other hand, provides a fitting piece formed at a lower end of the end plate of the collar member (e.g., see Application at page 3, lines 3-20). As a result, excellent assembly characteristics can be obtained for a steering device having a tilt and telescopic adjustment mechanism, by firmly fitting the stopper buffering material, which absorbs impacts when performing tilt and telescopic adjustment (see Application at page 4, lines 20-25).

II. THE PRIOR ART REFERENCE

The Examiner alleges that Barton teaches the claimed invention of claim 1. Applicants submit, however, that Barton does not teach or suggest each and every feature of the claimed invention.

That is, Barton does not teach or suggest "*a fitting piece formed at a lower end of said end plate*" as recited in exemplary claim 1.

The Examiner attempts to rely on Figures 1 and 2 of Barton to support his allegations. The Examiner, however, is clearly incorrect.

Nowhere in these figures (nor anywhere else for that matter) does Barton teach or suggest a collar member having a fitting piece formed at a lower end of the end plate. Indeed, Barton does not even mention a fitting piece, let alone teach or suggest a fitting piece formed at a lower end of the end plate as recited in the claimed invention of exemplary claim 1.

The claimed invention of exemplary claim 1 provides a collar member (B) including an upper supporting plate (6) and a lower supporting plate (5) connected by a coupling plate (9) (see Application at Figure 3A). An end plate (10) is formed at end of the upper supporting plate (5) opposite to the coupling plate (9). A fitting piece (11) is formed at a lower end of the end plate (see Application at Figure 3A). The stopper buffering material (D) is secured to the collar member (B) by the fitting piece (11).

In stark contrast, Barton merely teaches a slotted flanged plastics liner (1) having two opposing flanges (7). The liner (1) includes a slot (4) that extends from a front surface (8) of the liner (1) through the flanges (7). A resilient member is formed at each end of the slot (4) (see Barton at Figure 1 and column 2, line 65 through column 3, line 27).

Assuming, *arguendo*, that one of the two side portions, which connects the two flanges (7) of Barton, teaches an "end plate" as recited by the claimed invention, Barton does not teach or suggest a fitting piece formed at a lower end of the end plate.

First, Barton does not teach or suggest a fitting piece. Barton merely teaches that a resilient member (10) is positioned at each end of the slot (4) formed in the liner (1) (see Barton at column 3, lines 18-20). Nowhere, however, does Barton teach or suggest a fitting piece for fixing the stopper buffering material to the end plate of the collar.

Furthermore, even assuming, *arguendo*, that Barton teaches a fitting section, Barton does not teach or suggest a fitting piece formed at a lower end of the end plate. Indeed, the

resilient member (10) of Barton is positioned along a side-wall of the flanges (1). There is no fitting piece on a lower end of the end plate to secure the resilient member to the flange.

Therefore, Applicants submit that there are features of the claimed invention that are neither taught nor suggested by Barton. Therefore, the Examiner is respectfully requested to reconsider and withdraw this rejection.

III. NEW CLAIMS

New claims 16-19 have been added to claim additional features of the invention and to provide more varied protection for the claimed invention. These claims are independently patentable because of the novel features recited therein.

Applicants respectfully submit that new claims 16-19 are patentable over any combination of the applied references at least for analogous reasons to those set forth above with respect to claim 1.

IV. FORMAL MATTERS AND CONCLUSION

In view of the foregoing, Applicants submit that claims 1-19, all the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Respectfully Submitted,

Date: September 16, 2005

Scott M. Tulino, Esq.
Registration No. 48,317

Sean M. McGinn, Esq.
Registration No. 34,386

MCGINN INTELLECTUAL PROPERTY LAW GROUP, PLLC
8321 Old Courthouse Road, Suite 200
Vienna, VA 22182-3817
(703) 761-4100
Customer No. 21254